Alberta Human Rights
and Citizenship Commission

Annual Review

April 1, 2003 – March 31, 2004

Alberta
GOVERNMENT OF ALBERTA

Upon request, the Commission will make this publication available in accessible multiple formats. Multiple formats provide access for people with disabilities who do not read conventional print.

Alberta Human Rights and Citizenship Commission

Annual Review 2003 – 04

Contents

Executive Summary iii

The Alberta Human Rights and Citizenship Commission iii

Protection from discrimination under the *Human Rights, Citizenship and Multiculturalism Act* iv

Education services: summary of results v

Resolution and adjudication of human rights complaints: summary of results viii

Results in Detail 1

Results achieved through education services 1

- Building awareness: Helping Albertans to make a difference 1
- Supporting Albertans in building inclusive workplaces 2
- Recognizing diversity leadership 2
- Supporting Albertans with resources 3
- Educational workshops 4
- Communicating through the website 5
- Increased subscribers to the electronic information service 6
- Marking significant days 6
- Other commission strategies 6
- Contributions to the national human rights community 7
- Collaborative initiatives to build awareness and support change 7
- Human Rights, Citizenship and Multiculturalism Education Fund 8

Results achieved through the complaint resolution and settlement process provided by the regional offices and director's office 8

- Confidential inquiries 8
- Complaint files opened and closed 9
- Grounds of discrimination cited in complaint files opened 10
- Sections of the Act cited in complaint files opened 10
- Disposition of closed complaint files 11
  - Conciliated files
  - Investigated files
  - Dismissed files
  - Discontinued files
  - Withdrawn or abandoned files
- Time frame for closed complaints 15

105-05373/

Alberta Human Rights and Citizenship Commission

Annual Review 2003 – 04

Results achieved through the complaint adjudication process **17**

Appeals reviewed by Chief Commisioner **17**

Disposition of complaints scheduled for or heard by panels **18**

Court decisions **18**

Measuring public perception of the protection of human rights in Alberta **19**

Appendices **20**

Appendix 1 ..... **20**

Organization Chart

Appendix 2 ..... **21**

Overview of the complaint resolution and settlement process provided by the regional offices and director's office

Appendix 3 ..... **25**

Overview of the complaint adjudication process

Appendix 4 ..... **27**

Panel Decision Summaries 2003 – 04

Appendix 5 ..... **33**

Court Decision Summaries 2003 – 04

Contact information **39**

Alberta Human Rights and Citizenship Commission

Annual Review 2003 – 04

Executive Summary

The Alberta Human Rights and Citizenship Commission

In Alberta, the *Human Rights, Citizenship and Multiculturalism Act (the Act)* protects Albertans from discrimination in certain areas and grounds. The purpose of the *Act* is to ensure all Albertans are offered an equal opportunity to earn a living, find a place to live and enjoy services customarily available to the public without discrimination.

The *Act* establishes the Alberta Human Rights and Citizenship Commission to carry out functions under the *Act*. [1] The commission is an independent commission created by the Government of Alberta, which reports through the Ministry of Community Development. The commission has a two-fold mandate:

- to foster equality
- to reduce discrimination

It fulfills this mandate through public education initiatives and the resolution and settlement of complaints of discrimination.

A Chief Commissioner and part-time commissioners are appointed by Order in Council. As the head of the commission, the Chief Commissioner is responsible for keeping the Minister informed on human rights issues, providing the commissioners with guidance regarding their panel hearings and other functions, and providing the director with guidance regarding the overall goals and direction of the commission. In addition, the Chief Commissioner undertakes other related activities.

---

[1] Section 16(1) of the Act outlines the functions of the commission:

- to forward the principle that all persons are equal in: dignity, rights and responsibilities without regard to race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation,
- to promote awareness and appreciation of and respect for the multicultural heritage of Alberta society,
- to promote an environment in which all Albertans can participate in and contribute to the cultural, social, economic and political life of Alberta,
- to encourage all sectors of Alberta society to provide equality of opportunity,
- to research, develop and conduct educational programs designed to eliminate discriminatory practices related to race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, or family status,
- to promote an understanding of, acceptance of and compliance with this act,
- to encourage and co-ordinate both public and private human rights programs and activities, and
- to advise the Minister on matters related to this Act.

The primary purpose of the Chief Commissioner and commissioners in relation to complaint resolution and settlement is adjudicative. The Chief Commissioner reviews appeals of decisions made by the director to dismiss or discontinue complaints. He also appoints commissioners to serve on human rights panels (administrative tribunals) that hold public hearings into human rights complaints. The Chief Commissioner and commissioners also undertake other related activities.

In 2003 – 2004, the Chief Commissioner was Charlach Mackintosh. There were six part-time commissioners:

- Lori Andreachuk, Q.C.
- William P. Baergen, Ph.D.
- Beth Bryant
- Diane Colley-Urquhart
- Brenda Scragg
- Honorary Colonel Delano Tolley

An appointed director and employees handle the administrative responsibilities relating to the resolution and settlement of complaints made under the *Act*. This work is separate and distinct from the work of the Chief Commissioner in reviewing appeals and the work of commissioners in adjudicating human rights complaints. In keeping with the purposes of the *Act*, the director and employees also provide public information, education and consultation services and undertake other related activities.

Protection from discrimination under the Human Rights, Citizenship and Multiculturalism Act

The *Human Rights, Citizenship and Multiculturalism Act* protects Albertans against discrimination in the following areas:

- publications and notices
- goods, services, accommodation and facilities
- tenancy
- employment practices
- applications and advertising regarding employment
- membership in trade unions, employers' organizations or occupational associations

Within the areas listed above, it is a contravention of the *Act* to discriminate against any person on the basis of race, religious beliefs, colour, gender, physical disability, mental disability, ancestry, place of origin, marital status, family status or source of income. As of April 2, 1998, sexual orientation was read into the *Act* as a protected ground in

all areas. Age is also a ground protected from discrimination, except in the areas of tenancy and goods and services.

In addition to the areas and grounds discussed above, the *Act* protects Albertans in the area of equal pay. This provision requires that employees who perform the same or substantially similar work for an employer must be paid at the same rate, regardless of gender.

The *Act* also prohibits a person from retaliating against any person who has made a complaint, given evidence about a complaint, or assisted anyone else in making a complaint. In addition, the *Act* does not allow a person to make a frivolous or vexatious complaint with malicious intent.

Education services: summary of results

Education and the promotion of human rights are core functions of the commission in its efforts to foster equality and reduce discrimination. Just as awareness and prevention are the foundations for creating workplaces free of injury, they are the keys to creating organizations free of discrimination. The commission is a valuable source of information and assistance for Albertans and Alberta organizations and businesses wanting to know more about human rights law and how to prevent discrimination. Information resources, educational programs and other services such as displays and consultations with organizations helped to build awareness of the application and interpretation of human rights principles and legislation and supported the capacity to implement change.

Two major initiatives were successfully developed and launched in 2003 – 2004. A major media initiative, *Help Make a Difference*, was launched in partnership with Global TV, and delivered exceptional results. Over five months, the ads were shown approximately 1,050 times, had been seen approximately 21 million times across Global's Alberta network and across Canada, reaching up to 89% of viewers in a month. Another initiative, the *Alberta Human Rights and Citizenship Commission Diversity Leadership Award of Distinction*, was launched in partnership with the Alberta Chambers of Commerce. Presented in front of 600 people at a gala awards ceremony in Calgary, the award recognized and honoured organizations that are working to enhance diversity and inclusion in Alberta. In 2004, Syncrude Canada was presented with the first Diversity Leadership Award of Distinction. The award is an innovative way of encouraging employers to take a proactive approach in building inclusive workplaces.

New resources were developed, both independently by the commission, as well as in collaboration with others, including stakeholders and different levels of government. These resources

supported Albertans in learning more about the legislation and human rights law.

A major resource developed in 2003 – 2004 was a bulletin on accommodating post-secondary students with disabilities. This resource was developed using a collaborative approach involving students with disabilities and other stakeholders in universities, colleges, and non-profit community agencies. It will provide helpful information to students with disabilities and faculty and other staff at educational institutions about accommodating students with disabilities. To the best of the commission's knowledge, this is the first publication on this topic developed by commissions across Canada. This project was undertaken at the request of disability service providers from post-secondary educational institutions throughout the province.

Another major resource developed was a tri-party publication developed with Alberta Human Resources and Employment and the federal government on becoming a parent through birth or adoption in Alberta. This bilingual publication provides information for Albertans looking for information about human rights, maternity and parental leave, and benefits, in one helpful publication. To the commission's knowledge, this is the first publication of its kind across Canada, where a human rights commission worked jointly with relevant provincial and federal departments to prepare a comprehensive and integrated publication on these topics. The commission revised and streamlined its process for developing information resources, resulting in more timely product development.

The commission is continuing to focus on addressing client needs in the area of employment, where the majority of complaints are made, through the workshops and presentations it continues to offer, through the development of new resources that target needs in this area, and through the provision of other educational services.

Following a major consultation with Alberta employers in 2001 – 02, the commission has significantly increased its efforts to support employers, employees, unions and other partners in reducing discrimination and building inclusive workplaces. In addition to developing resources on key human rights topics identified by employers, the commission developed and offers a workshop series focused on human rights issues in the workplace. The commission's website is also organized so that users looking for information related to human rights and employment can find it in one location.

Albertans have responded positively to these initiatives, reflected in part by a 13% increase in the number of workshops and a 33% increase in the number of workshop participants from 2002 – 03 to 2003 – 04. The website also continued to see an increase in visits. In 2002 – 03,

an average of approximately 8,800 visits were made to the website on a monthly basis. In 2003 – 04, this increased by approximately 35% to almost 12,000 visits a month. The number of subscribers to the commission's electronic information service increased by almost 70%, from approximately 640 subscribers at the end of March, 2003, to approximately 1,100 subscribers at the end of March 2004.

Reviewing the human rights policies of organizations has supported organizations involved in building more inclusive, non-discriminatory environments. Consultation and liaison with community and other organizations helped support work done outside the commission that promoted human rights and a society appreciative of diversity.

The strong client focus of the commission is reflected through consultation with and support of community initiatives, through involvement in cross-agency and cross-government initiatives, and through programs and services delivered to businesses, educational institutions and other organizations.

The commission continued to collaborate with other organizations sharing its interests in human rights and diversity. One way it does this is by participating in and supporting community-based events, such as programs that mark International Human Rights Day, or the International Day for the Elimination of Racial Discrimination. The commission continued to participate in projects such as addressing hate-bias activity in Alberta, developing strategies to build communities more inclusive of diversity, and strengthening Aboriginal access and participation in urban centres. The commission's collaborative efforts extended into the national human rights field through its involvement in the national association of statutory human rights agencies and its working committees. On a regular basis, the commission submits commission news for inclusion in the Payroll News and Views supplement that accompanies regular updates to the Carswell *Owner/ Manager's Payroll Manual (Alberta)*. Over 300 Alberta businesses subscribe to this publication, which is updated 10 times a year.

The commission's awareness and educational strategies are being identified within and outside Alberta as models of best practice. Representatives of human rights agencies and departments from other jurisdictions are increasingly contacting Alberta for information on its programs and services. For example, a human rights agency in another jurisdiction identified the *Human Rights in the Workplace* curriculum and promotional materials as a model of best practice, and has adapted them for use in their province. Other jurisdictions have visited in person to learn more about the programs and services. Commission staff have also been asked to speak both inside and outside the province about the work being done within Alberta.

All commission professional staff and managers took plain language training in legal writing in 2003 – 04. This training will help improve the written reports and other documents they prepare. This should improve the understanding of commission materials and help settle complaints.

The commission shares its mandate to protect human rights and promote fairness and access with the Human Rights, Citizenship and Multiculturalism Education Fund. The Education Fund provides financial assistance to various organizations, as well as to the commission for its educational programs. The Chief Commissioner serves as vice-chair of the Education Fund Advisory Committee.

Resolution and adjudication of human rights complaints: summary of results

In 2003 – 04, the commission opened 869 complaint files, an increase from the 835 files opened in 2003 – 04. As in the previous three years, physical disability and gender continued to be the two most common grounds on which complaints were made. Many complaints alleged discrimination on multiple grounds. Complaints most frequently cited discrimination in the area of employment, followed by publicly available goods, services, accommodation and facilities.

While the number of files that opened increased, the commission also closed more files (774) than it closed in 2003 – 04 (772). However, despite closing more files, the significant increase in files opened in 2003 – 04 led to an overall higher number of open files in the system at year-end. As of March 31, 2004, there were 789 open complaint files in the system. This compares to 694 files open on March 31, 2003.

The vast majority of complaints closed in 2003 – 04 — 751 files (97%) — were dealt with through the commission's complaint resolution processes, meaning they were resolved through conciliation, settled through investigation, dismissed or discontinued by the director, or withdrawn or abandoned by the complainant. Of the files that closed in 2003 – 04, 61% were resolved through conciliation, exceeding the commission's performance target to close 50% of files through conciliation. This exceeds last year's results, when 59% of files were resolved through conciliation. This is an important performance target because files that close at this stage do not move on to the more time- and labour-intensive investigation stage or to the panel stage.

The remaining 23 files (three per cent) that closed in 2003 – 04 closed through the panel process. The panel process is independent from the work of commission staff in resolving and settling complaints. Human rights panels are appointed by the Chief Commissioner and are composed of human rights commissioners.

In 2003 – 04, the parties settled eight of the 23 complaints scheduled for panel hearings prior to a hearing. Of the remaining 15 complaint files, human rights panels found merit in three of these complaints, found no merit in seven, and five complaint files were closed for other reasons, including decisions by the panel on the validity of severance agreements signed by the complainants.

The commission received clarification from the courts on various legal matters that strengthen the interpretation of the legislation.

The commission continued undertaking strategies to improve the complaint file management process, including hiring conciliators, investigators, and legal counsel on a contract basis; upgrading human rights officer training; and improving technology support. Continuing to share approaches to handling complaints between the commission's two regional offices and with other commissions also led to improvements in processes.

The overall time frame for completing the complaint resolution services provided by the regional offices and the director's office decreased in 2003 – 2004 from 302 days in 2002 – 03 to an average of 299 days in 2003 – 04. The median increased from 181 days in 2002 – 03 to 191 days. The commission's performance target is to complete the complaint resolution processes within 435 days from the date a complaint is accepted. When all files closed in 2003 – 04 are considered, including those that were reviewed by the Chief Commissioner and went through the panel process, the average number of days it took to close a file decreased from 325 days in 2002 – 03 to 319 days, and the median was 192 days.

Results in detail

Results achieved through education services

Building awareness: Helping Albertans to make a difference

In partnership with the Global TV Alberta, the Human Rights, Citizenship and Multiculturalism Education Fund, the Education Fund Advisory Committee, and the Human Rights and Citizenship Branch of the Ministry of Community Development, the commission launched a media initiative called *Help Make a Difference*. This initiative supported the shared goals of creating awareness about the benefits of intercultural understanding and encouraging Albertans to contribute to building a fair and respectful society through their own actions. The initiative responded to Albertans who expressed concern that more work needed to be done to help increase awareness and understanding of diversity and human rights in Alberta, particularly through the media. The initiative also arose out of a recommendation by the commission's Human Rights Award Task Force in 2002 – 03, to develop an awareness program featuring Albertans speaking about and championing human rights.

Working with a media partner to support the goal to build awareness was a new strategy for the commission. As a key information source for Albertans, television provided an opportunity to effectively reach Albertans in all parts of the province. The initiative consisted of six ads — two 30-second, and four 60-second ads — that featured unscripted Albertans speaking about their experiences and perspectives on diversity and human rights. The 12 volunteer individuals and groups participating on the initiative included the Minister of Community Development, the Honourable Gene Zwozdesky. A complementary website, www.helpmakeadifference.com, provided visitors with more information about the initiative, allowed them to view all the ads, and provided concrete suggestions for actions that Albertans could take to make a difference in their own communities.

The *Help Make a Difference* initiative achieved significant impact over the period the ads were broadcast, from November 2003 through March 2004. This impact was due both to the high quality of the ads, and to the commitment of the partners, especially Global TV, whose contribution significantly exceeded their original agreement. Over the five-month period, the ads were broadcast over 1,050 times, and had been cumulatively viewed almost 21 million times across Alberta. The ads reached anywhere from 39% to 89% of viewers each month. In addition, the ads were also broadcast to the over one million subscribers across Canada in over one thousand communities through Global's satellite network.

Supporting Albertans in building inclusive workplaces

With the continuing high volume of employment-related inquiries and complaints, the commission continued to target its educational work on supporting efforts to build inclusive workplaces and reduce discrimination. The results of the commission's 2002 survey of over 560 Alberta employers [http://www.albertahumanrights.ab.ca/publications/Employer_Research/Final_Report.pdf] continued to guide commission efforts to develop resources and programs to help build positive human rights practices that are in line with legislation and that increase productivity and business results. The survey showed that while Alberta employers believe respecting human rights is good for business, they wanted to learn more about the legal responsibilities for human rights, how to resolve human rights complaints within their own organizations and strategies for building more inclusive workplaces.

Recognizing diversity leadership

In 2002 – 03, a commission task force recommended a number of strategies for building greater awareness and recognition for human rights and diversity in the province. Following up on its report, the commission partnered with the Alberta Chambers of Commerce to establish the *Alberta Human Rights and Citizenship Commission Diversity Leadership Award of Distinction* in 2003 – 04 as part of the Alberta Chambers of Commerce *Alberta Business Awards of Distinction.* The award recognizes and honours organizations that embrace diversity in their workforce, encourage respect and inclusion, and are working toward eliminating discrimination and barriers to fair employment practices. Businesses, not-for-profit organizations, and public sector organizations were all eligible to apply.

The commission had two purposes in mind when establishing this award. First, it wanted to publicly recognize those employers who had created a corporate culture that valued the distinct abilities, experiences and perspectives of their employees and had demonstrated the benefits of a workplace that was striving to reduce discrimination and valued diversity. Secondly, it hoped that the nominees would serve as role models for other organizations wishing to develop to similar strategies.

The Alberta Chambers of Commerce *Business Awards of Distinction* were presented at a gala award ceremony in Calgary on February 18, 2004, in front of approximately 600 people. The three finalists for the award — Syncrude Canada Ltd. (Fort McMurray), Husky Energy Ltd. (Calgary) and Lakeside Packers (Brooks) — were all recognized at the event for their efforts to build more inclusive and diverse workplaces. Each of the nominees had demonstrated the impact that positive, inclusive work environments had in attracting and retaining employees, increasing customer satisfaction and enhancing corporate citizenship within their

communities. Syncrude Canada was presented with the 2004 *Alberta Human Rights and Citizenship Commission Diversity Leadership Award of Distinction.*

Supporting Albertans with resources

Resources such as information sheets and bulletins supported the responses staff provided to inquiries and media calls. They were accessed from the website, mailed, faxed or handed out to people making inquiries. Resource materials were available at the commission's offices, on the commission's website, through hard copy order forms, at special events, and through other agencies.

A number of new resources were under development in 2003 – 04. One comprehensive resource under development was *Duty to accommodate students with disabilities in post-secondary educational institutions.* This publication will be released in 2004 – 05. It was developed with a multi-member advisory group including representatives of post-secondary educational institutions, disability service providers, disability advocates, and students with disabilities. This resource will support educational institutions and students with disabilities in reaching appropriate accommodation solutions, to enable the institutions to meet their legal responsibilities and students with disabilities to fully participate. The bulletin responds to the needs of disability service providers in post-secondary institutions for resources on accommodation specific to the needs of students with disabilities. The commission developed a process that engaged stakeholders in a collaborative process to develop a comprehensive resource.

Becoming a Parent in Alberta: What you need to know about human rights, maternity and parental leave, and benefits was jointly developed by the commission, Alberta Human Resources and Employment, Employment Standards Branch and Human Resources Development Canada. This publication provides a "one-window" approach to Albertans looking for information on becoming a parent through birth or adoption. It will help build significant understanding among employers and employees about human rights issues, as well as increase awareness of the commission. The booklet, poster and bookmarks were all printed in English and French. The publication will be launched early in 2004 – 05. This was the first tri-party publication developed by the commission and is believed to the first in Canada to bring key information on these topics from the federal and provincial levels of government and the provincial human rights commission together in one resource.

Another resource under development was a background paper on using mediation to resolve human rights issues in the workplace. The resource was developed in response to the need expressed by

employers in the commission's *Employers' Perspectives Research Project* (2002). This 48-page background paper introduces readers to a wide variety of dispute resolution methods that can be used to resolve human rights issues in the workplace and offers a comprehensive discussion about mediation. It will be released in 2004 – 05.

Two sample medical forms were also under development, with stakeholder representation. These sample forms are for use on a voluntary basis by smaller-and medium-size employers who do not participate in private insurance programs, and where a Workers' Compensation Board claim is not involved. The forms will clarify requirements under human rights legislation for employers, educational providers, employees, students, and the medical community related to medical absences and when an individual returns to work or school with some limitations.

Every year, the commission also updates and revises selected resources. In 2003 – 04, the *Drug and alcohol testing* information sheet was rewritten and posted on the website. The *Releases, severance agreements and human rights law* information sheet was also revised. The bibliography of *surveys and studies* that demonstrate the impact of human rights practices in the workplace was extracted from the 2002 *Employers Survey* and published separately. An updated, 2003 annotated bibliography was also completed. *Exploring human rights with children and teens: a bibliography* was updated. Commission updates were submitted on a regular basis to the *Carswell Owner/ Manager's Payroll manual* (Alberta) *News and Views supplement*. The commission also completed a review of the human rights content in *Carswell Owner/Manager's Payroll Manual* (Alberta); Carswell has published the revision.

Educational workshops

The popularity of the commission's workshops on human rights in the workplace, launched in 2002 – 03, continued in 2003 – 04. The workshops are organized into six modules on key human rights topics in the workplace:

- *A respectful and inclusive workplace*
- *Human rights legislation in the workplace*
- *Discrimination and harassment in the workplace*
- *The duty to accommodate*
- *Human rights and the employment process*
- *The human rights complaint process*

As well as being customized to meet the needs of organizations booking these workshops, the workshops were offered publicly on a number of occasions in locations across Alberta. In 2003 – 04, a

total of 113 workshops/presentations were offered: 106 customized workshops/presentations, five public workshops, and two presentations to remedy human rights complaints. Over 3,600 participants attended these workshops and presentations. This compares to approximately 100 workshops and presentations that were delivered to over 2,700 Albertans in 2002 – 03. The 2003 – 04 figures represent an increase of approximately 13% in the number of workshops, and an increase of approximately 33% in the number of participants as compared with the previous year.

The workshops covered all the six modules, and the types of businesses and organizations involved were diverse in size and nature of their business. Organizations represented all sectors: business, public and not-for-profit. In connection with implementing a new anti-harassment policy, one Alberta university had its entire staff participate in the workshops, and an association in the construction industry provided regular training to its members, including managers, supervisors, foremen, and workers. Partnerships have been developed with a number of employers, including government, and with associations to provide this training to employees and members.

A new fee policy was developed for educational services, which will be implemented in 2004 – 05. This policy will ensure Albertans continue to be provided with core services at no cost. Customized and enhanced services programs will be provided at a modest charge, intended to recover the contract service costs associated with delivering the programs. The policy also ensures that equitable delivery of services is maintained across the province, regardless of geographical location. The workshop series generated revenues of approximately $15,000 in 2003 – 04.

Communicating through the website

The website remained an important source of information about the protection of human rights and the promotion of fairness and access. It is a key communication tool for the commission, which is updated regularly. In addition to clients accessing the website on their own, human rights staff frequently refer callers to the website. During 2003 – 04 the commission website received an average of almost 12,000 visits per month — up from the approximately 8,800 visits per month made in 2002 – 03. This represents approximately a 35% increase in visitors.

As well as written information, the commission's two educational video kits, *Discrimination and the Law* and *Understanding Gender Discrimination*, were also available on the website. Each of the vignettes on the videos could be accessed separately and were accompanied by an online users' guide. The complete video kits could also be purchased.

Albertans can access all these resources seven days a week, whenever they choose. Links to the commission's information can also be made from the Ministry of Community Development website at www.cd.gov.ab.ca and the Service Alberta website at www.servicealberta.com.

The commission undertook usability testing of its website in 2003 – 04 and will use the findings to inform future website development.

Increased subscribers to the electronic information service

The commission produces an electronic newsletter, which provides commission news and related information. In 2003 – 04, the commission distributed eight issues of Alberta Human Rights Information Service. The number of subscribers to this service increased over the year by approximately 70%, from 639 subscribers at the end of March 2003, to almost 1,100 subscribers at the end of March 2004.

Marking significant days

The calendar is marked by a series of internationally and nationally recognized days that have significant human rights and diversity implications. In recognition of the significance of these days, the commission participated in and supported community-based events, as well as promoting awareness through news releases. For example, commissioners were involved in two events marking International Human Rights Day (December 10th) in Calgary. The commission was also involved in events marking the International Day for the Elimination of Racism (March 21st) activities on a provincial basis, which included the development of a poster and other promotional materials.

The commission continued to promote the *Human Rights Day Activity Guide*, a helpful source of program ideas and resources to help communities, schools and organizations in planning their own celebrations to mark Human Rights Day or celebrations of other significant days. Information was added to the www.helpmakeadifference.com website listing various significant days and linking to additional information about each of the days.

Other commission strategies

The commission responded to telephone inquiries from employers and others seeking help to develop and implement human rights policies and to create respectful and inclusive workplaces. Where requested, commission staff consulted with businesses and community organizations to develop anti-discrimination and inclusion policies for their organizations. In 2003 – 04, the commission assisted organizations with reviews of six policies.

The commission provided a portable display accompanied by a range of resources to organizations that held meetings, conferences and other events, to build awareness of human rights legislation and the commission's programs and services. In 2003 – 04, displays were hosted at 22 events and reached approximately 3,200 viewers.

Contributions to the national human rights community

The commission participated in a variety of initiatives to promote equality and reduce discrimination:

- Representatives attended the conference and meetings of the Canadian Association of Statutory Human Rights Agencies (CASHRA) in Winnipeg in May 2003.
- The awareness and education survey of CASHRA member activities, which was originally coordinated by the commission, has been translated and is being readied for publication and distribution in 2004 – 05.
- After the North West Territories Human Rights Act was proclaimed in 2003, the Alberta commission participated in an interview process aimed at identifying the best possible candidates for the commissioner and director positions under the new act.
- The commission continued working with legal counsels and policy, research and educational staff of other commissions to share information on current issues, new developments and best practices.

Collaborative initiatives to build awareness and support change

Throughout 2003 – 04, the commission was involved in a variety of government-and community-based initiatives to support the outcome of a more inclusive, fair and respectful society. Some examples include the following:

- A commission representative served on the Alberta Advisory Committee on Impairment in the Workplace. Recommendations and a report were prepared for the Minister of Alberta Human Resources and Employment.
- The commission continued to play a lead role with federal and provincial government departments and agencies and the Alberta Association of Chiefs of Police to develop a provincial strategy to deal with hate-bias activity. As a result of meeting with key stakeholders, an expanded committee with more community involvement was formed. A forum to encourage community engagement is being planned for Fall 2004.
- The commission participated in Diversity Calgary, a multi-sectoral coalition of organizations committed to ensuring that Calgary is a community built on respect and equity for all. Diversity Calgary's mandate focuses specifically on cultural, racial and ethnic diversity, but

respects other forms of diversity. The coalition involves representatives from the private, public, not-for-profit and community sectors.

- The commission continued to participate in the Calgary Urban Aboriginal Initiative (CUAI), as it coordinated strategies to address issues facing urban Aboriginal peoples in Calgary. With support from the federal government, CUAI is developing a process for coordinating grant funding for urban Aboriginal programs and services in Calgary.

Human Rights, Citizenship and Multiculturalism Education Fund

The *Human Rights, Citizenship and Multiculturalism Act*, which created the commission, also created the Human Rights, Citizenship and Multiculturalism Education Fund. The education fund receives an annual allocation from the Alberta Lottery Fund as well as a small amount of income from other sources, such as interest. The education fund provides financial support for the commission's education programs and services as well as grants to community groups for educational programs and services that are in keeping with the purposes of the *Act*. The Chief Commissioner serves as vice-chair of the Human Rights, Citizenship and Multiculturalism Education Fund Advisory Committee, which provides the Minister with advice on the overall use of the fund and on specific grant applications. In 2003 – 04, Mr. Hung Pham, MLA (Calgary-Montrose), chaired the advisory committee.

Results achieved through the complaint resolution and settlement process provided by the regional offices and director's office

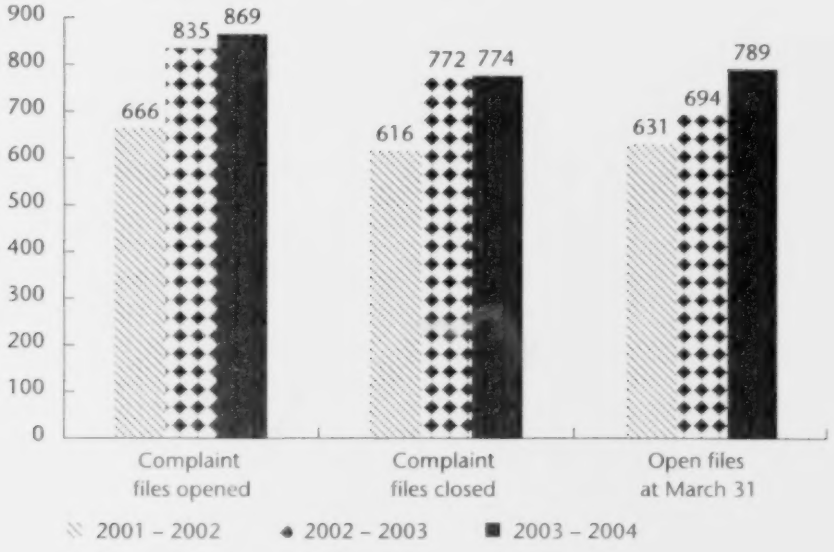
Confidential inquiries

Commission staff assist Albertans by providing information about human rights issues, suggestions on steps they can take to resolve situations themselves, suggestions on how to avoid discrimination, guidance on how to complete a human rights complaint form, print information, and referrals to the commission website. When inquiries fell outside the commission's mandate, staff referred callers to other agencies.

Complaint files opened and closed

By the end of the fiscal year, the commission opened 869 complaint files, 34 files more than in the previous fiscal year.

Complaint files opened and closed and in the system in 2001 – 02, 2002 – 03 and 2003 – 04



Grounds of discrimination cited in complaint files opened

A total of 2,253 grounds were cited in the 869 complaint files that opened from April 1, 2003 to March 31, 2004. Continuing the pattern from the previous year, physical disability and gender were the two most frequently cited grounds, followed by mental disability and race/colour.

Grounds cited in files opened from April 1, 2003 – March 31, 2004

	Number of times ground cited	Ground as a % of total number of grounds cited (2,253* grounds)
Physical Disability	780	35%
Mental Disability	306	14%
Gender	428	19%
Race/Colour	175	8%
Ancestry/Origin	149	7%
Sexual Orientation	69	3%
Age	97	4%
Family Status	80	4%
Marital Status	55	2%
Religious beliefs	70	3%
Source of Income	22	1%
Other	22	1%
Totals	**2,253**	**101%****

*Figures represent grounds cited in 869 complaints opened from April 1, 2003 – March 31, 2004.
** Percentages have been rounded

Sections of the Act cited in complaint files opened

As in previous years, most grounds cited discrimination in the area of employment practices, followed by discrimination in the area of publicly available goods, services, accommodation and facilities. Of the 2,253 grounds cited in 2003 – 04, the majority of grounds (1,755 grounds, 78%) cited section 7, the area of employment practices. The second most commonly cited section, section 4, publicly available goods, services, accommodation and facilities, was cited 347 times (15%). All remaining areas were cited less frequently. When grounds citing discrimination in the area of employment practices are combined with grounds citing discrimination in the area of employment applications and advertisements, complaints related to employment total 80%.

Percentage of complaint grounds cited by section in files opened in 2003 – 04

	2003 – 04 (2,253 grounds cited in the 869 files opened)
Employment practices (Section 7)	78%
Goods, services, accommodation, facilities (Section 4)	15%
Tenancy (Section 5)	2%
Applications and advertisements re: employment (Section 8)	2%
Equal pay (Section 6)	0%
Membership in trade union, etc. (Section 9)	1%
Publications, notices (Section 3)	1%
Retaliation (Section 10.1)	1%
Frivolous or vexatious complaints with malicious intent (Section 10.2)	0%
Total	**100%***

Note: This table provides information on the percentage of complaint grounds cited under different sections of the *Act*. The table is based on the total number of grounds cited, not the number of complaint files opened. For example, of the 2,253 grounds cited in 2003 – 2004, 1,755 grounds, or 78% of the total number of grounds cited, were in the area of employment (section 7)

*Percentages have been rounded

Disposition of closed complaint files

The commission closed 774 complaint files in 2003 – 04. The vast majority of complaints — 751 files (97%) — were dealt with through the commission's compliance process, meaning they were settled by the parties through conciliation or investigation, dismissed or discontinued by the director, or withdrawn or abandoned by the complainant. The remaining 23 files (3%) were handled through the commission's panel process, and are discussed later in this review.

Conciliated files

The majority of complaint files were resolved by the parties with the help of a conciliator provided by the commission. The 61% of the complaints (468 files) that were resolved through conciliation in 2003 – 04 was greater than the 59% that were resolved this way in the previous year. Conciliation is a voluntary, non-adversarial way of resolving disputes. The conciliator is an impartial person who works with the complainant and respondent to generate possible solutions to the complaint.

Investigated files

In 2003 – 04, 10% of the complaints (80 files) settled through investigation. This compares to 12% of the complaint files settled through investigation in 2002 – 03 and 15% settled through investigation in 2001 – 02. If conciliation does not resolve the complaint, commission staff conduct an investigation to establish the facts of the case and determine whether or not there is merit to the complaint. If the investigator believes there is merit to the case, commission staff try again to help the parties reach a settlement.

Dismissed files

In 2003 – 04, the director dismissed 77 complaint files. In her opinion, the complaints had no merit, that is, there was no discrimination as defined by the *Human Rights, Citizenship and Multiculturalism Act* or if there was discrimination, it was reasonable and justifiable under the circumstances.

Fifty (50) of the 77 files dismissed by the director were not appealed and these files were closed as dismissed, once the appeal period ended. Twenty-seven (27) of the 77 files dismissed by the director were appealed to the Chief Commissioner. The Chief Commissioner upheld the director's decision for 21 of these files, and they were subsequently closed as dismissed. The Chief Commissioner overturned the director's decision on six files. With the complainant's consent, these files remained open and proceeded to panel.

To summarize, the director dismissed 77 files in total. Seventy-one (50 plus 21) of these files were closed as dismissed. This is 9% of the total number of files closed in 2003 – 04, which is the same percentage as the previous fiscal year, and lower than 2001 – 02 when 12% of files that closed were closed as dismissed. Six files dismissed by the director remained open and proceeded to panel because the Chief Commissioner overturned the director's decision.

Discontinued files

The director may discontinue a complaint if she believes the complainant has refused to accept a settlement offered by the respondent that is fair and reasonable. In2003 – 04, the director discontinued two files. Both discontinuances were appealed to the Chief Commissioner who upheld the director's decision in both files.

Withdrawn or abandoned files

In 2003 – 04, 130 complaints (17%) were closed because complainants withdrew or abandoned their complaints, compared to 2002 – 03 when 16% of complaint files (122 files) were either withdrawn or abandoned.

In 2003 – 04, 70 complaint files were withdrawn and 50 files were abandoned. Complainants withdraw their complaints for a variety of reasons. They may do so when they agree there is no merit to their complaint, or when they settle the dispute in another forum such as a grievance procedure or civil court action and withdrawal of the human rights complaint is part of the settlement agreement. The commission considers a file to be abandoned when, for whatever reason, the complainant decides not to maintain contact with the commission.

Disposition of complaint files closed in 2001 – 02, 2002 – 03 and 2003 – 04

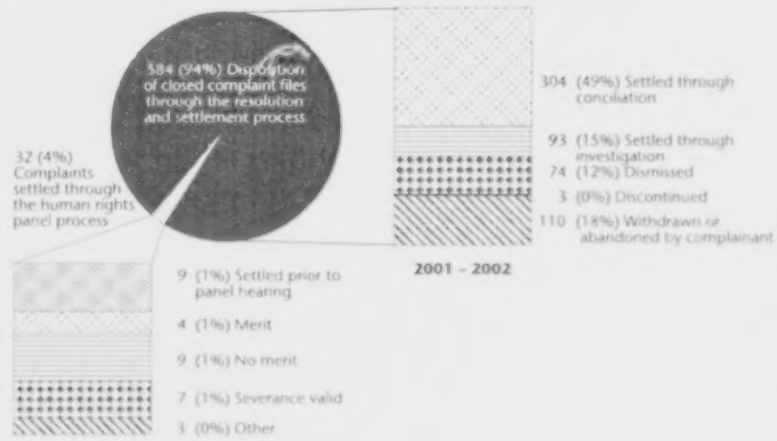
584 (94%) Disposition of closed complaint files through the resolution and settlement process
32 (4%) Complaints settled through the human rights panel process
304 (49%) Settled through conciliation
93 (15%) Settled through investigation
74 (12%) Dismissed
3 (0%) Discontinued
110 (18%) Withdrawn or abandoned by complainant
2001 – 2002
9 (1%) Settled prior to panel hearing
4 (1%) Merit
9 (1%) No merit
7 (1%) Severance valid
3 (0%) Other
733 (95%) Disposition of closed complaint files through the resolution and settlement process
39 (5%) Complaints settled through the human rights panel process
452 (59%) Settled through conciliation
91 (12%) Settled through investigation
68 (9%) Dismissed
0 (0%) Discontinued
122 (16%) Withdrawn or abandoned by complainant
2002 – 2003
8 (1%) Settled prior to panel hearing
21 (3%) Merit
3 (less than 1%) No merit
2 (less than 1%) Severance valid
2 (less than 1%) Severance settled prior to hearing
3 (less than 1%) Other
751 (97%) Disposition of closed complaint files through the resolution and settlement process
23 (3%) Complaints settled through the human rights panel process
468 (61%) Settled through conciliation
80 (10%) Settled through investigation
77 (9%) Dismissed
2 (0%) Discontinued less than 1%
130 (17%) Withdrawn or abandoned by complainant
2003 – 2004
8 (1%) Settled prior to panel hearing
5 (0%) Merit – less than 1%
7 (1%) No merit
1 (0%) Severance valid – less than 1%
4 (0%) Other – less than 1%

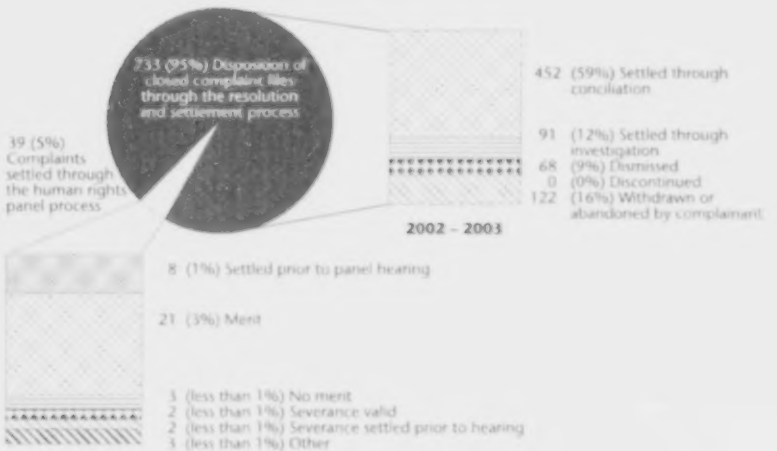
Alberta Human Rights
and Citizenship Commission

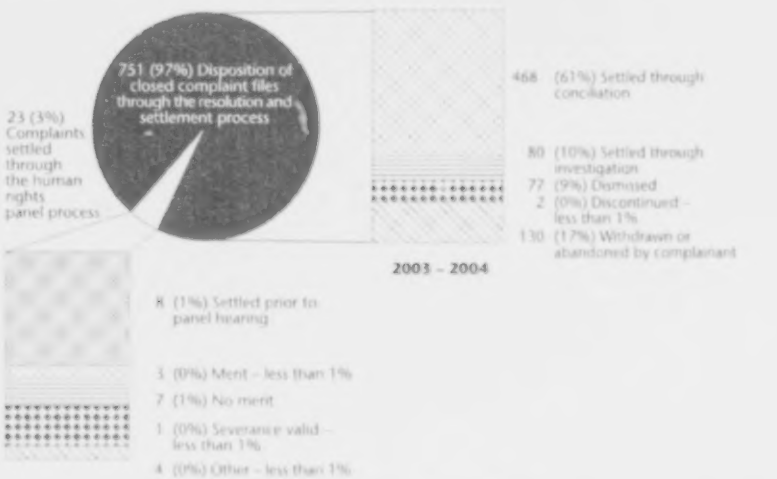
Annual Review
2003 – 04

Page 14

Disposition of complaint files closed in 2001 – 02, 2002 – 03 and 2003 – 04


584 (94%) Disposition of closed complaint files through the resolution and settlement process
32 (4%) Complaints settled through the human rights panel process
9 (1%) Settled prior to panel hearing
4 (1%) Merit
9 (1%) No merit
7 (1%) Severance valid
3 (0%) Other
304 (49%) Settled through conciliation
93 (15%) Settled through investigation
74 (12%) Dismissed
3 (0%) Discontinued
110 (18%) Withdrawn or abandoned by complainant
2001 – 2002


733 (95%) Disposition of closed complaint files through the resolution and settlement process
39 (5%) Complaints settled through the human rights panel process
8 (1%) Settled prior to panel hearing
21 (3%) Merit
3 (less than 1%) No merit
2 (less than 1%) Severance valid
2 (less than 1%) Severance settled prior to hearing
3 (less than 1%) Other
452 (59%) Settled through conciliation
91 (12%) Settled through investigation
68 (9%) Dismissed
0 (0%) Discontinued
122 (16%) Withdrawn or abandoned by complainant
2002 – 2003

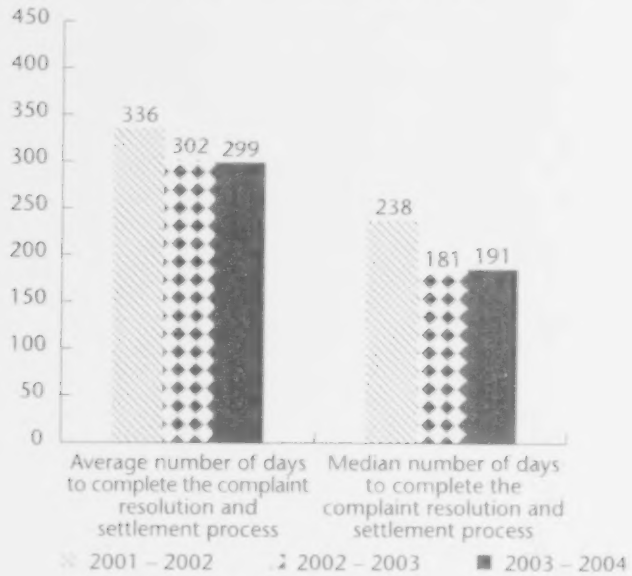

751 (97%) Disposition of closed complaint files through the resolution and settlement process
23 (3%) Complaints settled through the human rights panel process
8 (1%) Settled prior to panel hearing
3 (0%) Merit – less than 1%
7 (1%) No merit
1 (0%) Severance valid – less than 1%
4 (0%) Other – less than 1%
468 (61%) Settled through conciliation
80 (10%) Settled through investigation
77 (9%) Dismissed
2 (0%) Discontinued – less than 1%
130 (17%) Withdrawn or abandoned by complainant
2003 – 2004

Time frame for closed complaints

The commission's performance target for completing the complaint resolution and settlement process provided by the regional offices and director's office is a maximum of 435 days from the day the complaint is accepted. Included in this target is the time it took for each file to be settled by the parties at the conciliation or investigation stage, dismissed or discontinued by the director, withdrawn or abandoned by the complainant, or forwarded by the director to the Chief Commissioner for a panel hearing.

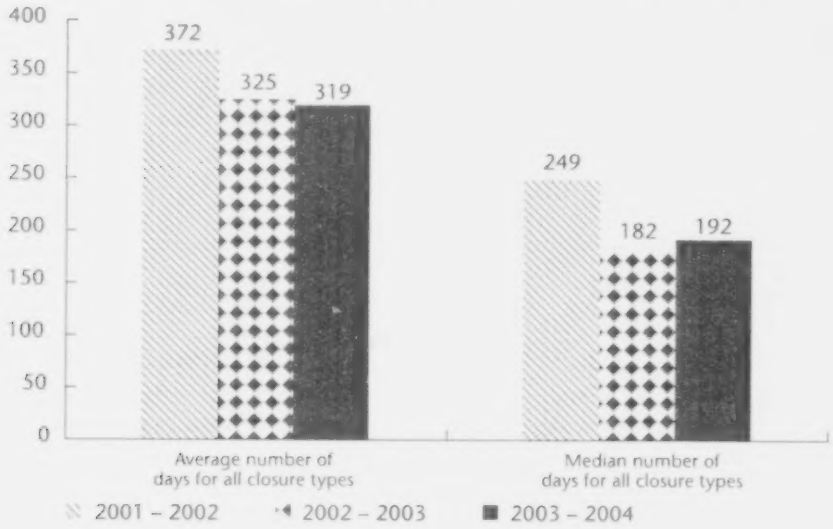
The files that closed in 2003 – 04 required less time on average than in the previous year. The average time it took to complete the complaint resolution and settlement process provided by the regional offices and director's office was 299 days. The median time was 191 days. As well, a greater percentage of files completed the process within the target time frame of 435 days as compared with the two previous years. The commission met its performance target of completing this process within a maximum of 435 days for 74% of the files (570 of the 774 files that closed in 2003 – 04). This compares to 72% of the files that met this target that closed in 2002 – 03 and 68% of the files closed in 2001 – 02.

Average and median number of days to complete the complaint resolution and settlement process provided by the regional offices and director's office for files that closed in 2001 – 02, 2002 – 03 and 2003 – 04



Some files go through the review and panel processes provided by the Chief Commissioner and commissioners. If the time it took to complete the review and panel process is added to the time it took to complete the complaint resolution and settlement process provided by the regional offices and director's office, the above time lines increase somewhat as shown in the following table. The figures show that the average and medium number of days for all files to close has decreased as compared with the past two years.

Average and median number of days for all closure types for files that closed in 2001 – 02, 2002 – 03 and 2003 – 04



Results achieved through the complaint adjudication process

Appeals reviewed by the Chief Commissioner

In 2003 – 04, the Chief Commissioner completed reviews on 29 files, one less than he reviewed in 2002 – 03. The chief commissioner's decisions are summarized in the tables below.

Appeals reviewed by the Chief Commissioner in 2003 – 04

Type of Appeal	Number of decisions upheld	Number of decisions overturned	Total number of appeals
Dismissal	21	6	27
Discontinuance	2	0	2
Totals	23	6	29

Appeals reviewed by the Chief Commissioner in 2002 – 03

Type of Appeal	Number of decisions upheld	Number of decisions overturned	Total number of appeals
Dismissal	25	5	30
Discontinuance	0	0	0
Totals	25	5	30

Appeals reviewed by the Chief Commissioner in 2001 – 02

Type of Appeal	Number of decisions upheld	Number of decisions overturned	Total number of appeals
Dismissal	28*	3	31
Discontinuance	1	0	1
Totals	29	3	32

*Note that 26 of the 28 "dismissal" files listed in the "Number of decisions upheld" column were appeals of decisions made by the director in 2001 – 02. In two cases, the Chief Commissioner's decision was the second decision made by him on files that had been closed in previous fiscal years. In one case, the Chief Commissioner was directed by the Court to make a second decision as a result of a judicial review. In the other case, the complainant provided additional information that made a second decision appropriate.

Disposition of complaints scheduled for or heard by panels

Twenty-three (three percent) of the files that closed in 2003 – 04 were dealt with through the panel process, which is two percent less than files closed through the panel process in 2002 – 03. The director refers complaints to a panel when she believes there is merit to the complaint but the complainant and respondent are unable to settle. The Chief Commissioner refers complaints to a panel when he believes a complaint can only properly be decided through a human rights panel and should not have been dismissed or discontinued by the director. The panel process is independent from the work of commission staff in receiving and resolving complaints. Human rights panels are composed of human rights commissioners and are appointed by the Chief Commissioner.

The 23 files that closed after being referred to panel had the following outcomes:

- parties settled eight files prior to the panel hearing, usually with the assistance of commission staff.
- three files went through a panel hearing where the panel found merit to the complaints and ordered an appropriate remedy.
- seven files went through a panel hearing where the panel found no merit and dismissed the complaints.
- in 2003 – 04, the panel decided that one severance agreement was valid and enforceable, and the file was closed. One other file involving a severance agreement was closed because the complainant did not attend the hearing.
- two complainants decided not to pursue their complaints immediately before the hearing.
- one complainant withdrew after a preliminary decision involving the named respondents.

See the figures *Disposition of complaint files closed in 2001 – 02, 2002 – 03 and 2003 – 04 on page 14* of this report for comparative statistics of complaints closed through the human rights panel process over these three years. Summaries of panel decisions can be found in Appendix 4.

Court decisions

The commission received clarification from the courts on various legal matters, including the supremacy of human rights legislation and that the provisions which prohibit discrimination are to be broadly construed, the defenses are to be narrowly construed and the key provisions are to be adapted to changing social conditions. In judicial reviews, the courts continue to give deference to the Chief Commissioner where he has acted reasonably. Summaries of court decisions can be found in Appendix 5.

Measuring public perception of the protection of human rights in Alberta

An independent, province-wide telephone survey of 1,000 adult Albertans is undertaken annually to determine how well adult Albertans believe human rights are protected in the province. The commission, the Ministry of Community Development, and the Government use the results as a performance measure relating to the government's goal of protecting human rights and promoting fairness and access for all Albertans.

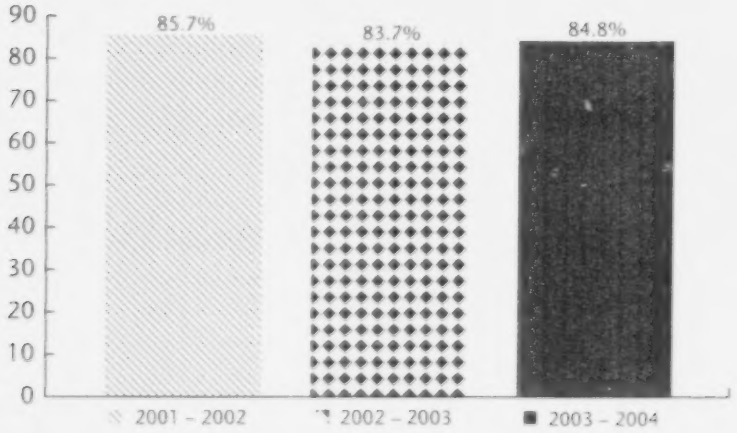
In the survey, respondents were asked, "Thinking about human rights, overall, how well do you feel human rights are protected in the province of Alberta?"

In 2003 – 04, 84.8 percent of Albertans believed human rights were "fairly well" or "very well" protected in Alberta. This is a slight increase from 2002 – 03, when 83.7% reported that they believed human rights were "fairly well" or "very well" protected in Alberta.

While the results may be influenced by the work of the commission, many other influences also contribute to these results. Given that this is a public perception survey, results may be influenced by respondents' personal characteristics such as age and interests, gender, race, employment status, and educational level. Media coverage of human rights, particularly legislative and judicial matters, can have an impact. The media's presentation of human rights issues, both those within Alberta as well as national and international issues may also influence Albertans' perceptions.

Percentage of Albertans who believe human rights in Alberta are very well or fairly well protected

Ministry Target 2003 – 06: 85%



Source: Angus Reid Group, 1998 – 1999, Research Innovations Inc., 1999 – 2003

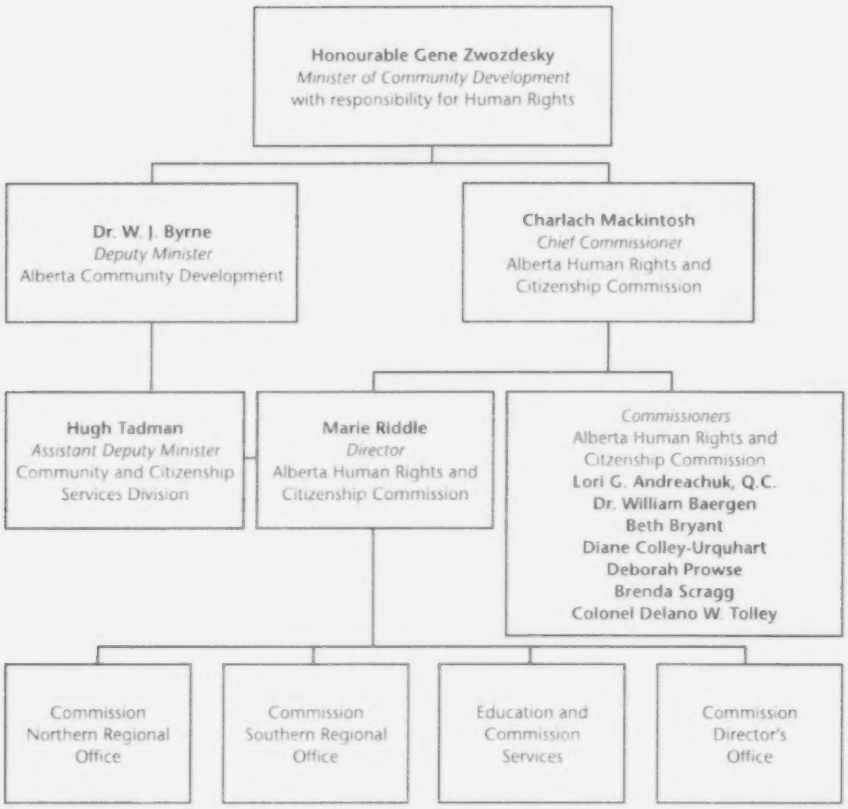
Alberta Human Rights and Citizenship Commission

Annual Review
2003 – 04

Page 20

Appendix 1

Organization Chart — Human Rights and Citizenship Commission



Appendix 2

Overview of the complaint resolution and settlement process provided by the regional offices and director's office

Confidential inquiries and referrals

The commission provides information on a confidential and free-of-charge basis to people who believe they may have experienced discrimination in Alberta, who are responding to a human rights issue, or who are seeking more information about human rights in Alberta. Commission staff provide information, not legal advice, and remain impartial on all inquiries. In addition to providing more information about the *Act* and its interpretation, those bringing an inquiry about a human rights issue to the commission are able to consult with a human rights officer who can suggest what they might do to try to resolve the situation. People bringing inquiries to the commission that are outside its mandate are referred to other agencies. Inquiries come from a broad spectrum of people including employers, landlords, educators and people who believe they have been discriminated against in some way.

Submitting a human rights complaint

If an individual's efforts fail to resolve a situation where they believe they experienced discrimination, and they wish the commission to become directly involved, they may submit a human rights complaint. A complainant has the legal obligation of showing reasonable grounds for believing that discrimination has occurred and must submit the complaint within one year of the alleged incident.

Determining whether to accept a human rights complaint

Commission staff review human rights complaints to determine if they may be accepted. Complaints need to fall within the commission's jurisdiction, be made within one year of the alleged incident of discrimination, and demonstrate reasonable grounds. A third party may make a complaint on behalf of another individual with that person's consent.

Next steps

If the commission accepts the complaint, then the party being complained about, the respondent, is asked to respond to the complaint. Their response is then shared with the person who made the complaint, the complainant.

Two methods for resolving human rights complaints

When the commission accepts a human rights complaint, two methods are used to resolve the matter. The first is conciliation; the second is investigation.

Conciliation

After the complaint has been accepted, the case is assigned to a conciliator, who attempts to resolve the complaint by helping the parties find a mutually acceptable solution. Conciliation is a voluntary, non-adversarial approach to resolving disputes. An impartial person, known as a conciliator, helps the complainant and the respondent identify the issues, discuss the factors surrounding these issues and generate possible solutions. The objective of conciliation is to reach a resolution that is acceptable to both parties without an investigation.

During conciliation, it is the parties themselves who make any decisions to resolve the dispute. The conciliator simply helps them understand the issues and come to a mutually acceptable solution. The conciliator remains impartial during the process and does not judge the issues. The conciliator does not have the authority to impose any solution or decision on the parties. The commission recognizes the rights of both parties to the complaint and, during conciliation, does not act on behalf of either party. The conciliator also helps the parties prepare a written agreement.

Conciliation is often successful because it leads to understanding between the parties. The decision about how to resolve a complaint is made jointly by both parties who share ownership of the decision and respect the outcome. To ensure the parties are as forthright as possible, all discussions and information supplied by the parties are on a without prejudice basis. The commission informs the parties that the information is not to be used for any purpose other than the conciliation. If conciliation is successful, the file is closed. If the complaint proceeds to an investigation, information arising during the conciliation cannot be used during the commission's investigation.

Investigating human rights complaints

If conciliation is unsuccessful or declined by either party, the complaint is assigned to an investigator. Investigation is the impartial collection and examination of facts about the complaint by an investigator. The investigator will investigate the complaint, and analyze the evidence in relation to human rights law. During the investigation of a complaint, the parties are encouraged to provide any evidence they believe is important to a decision on whether or not there has been discrimination. At any time during the investigation, commission staff will try to help the parties reach a settlement if they request

assistance. The objective of investigation is to determine whether discrimination occurred.

If the evidence supports a finding that there has been discrimination and there is no legitimate defense for the discrimination, the complaint is described as having merit. At this point in most complaints, commission staff share a written investigation report with the parties. The report includes a recommended remedy.

If the evidence shows there is no merit to the complaint, the director dismisses the complaint. The complainant may appeal a decision by the director to dismiss the complaint to the Chief Commissioner.

Settling a human rights complaint where merit is found

When a complaint has merit, commission staff work with the parties to attempt to settle the complaint by securing a remedy for the complainant. Remedies may include financial and non-financial compensation for actual losses and/or suffering that occurred as a result of discrimination.

The objective of a remedy is to restore the complainant to the position he or she would have been in if the discrimination had not occurred. It is not the purpose of the *Act* to punish anyone. Recommended remedies are based on Canadian and Alberta legal precedents in human rights cases.

For example, if a complainant has lost his or her job because of racial discrimination, the recommended remedy may call on the employer to do one or more of the following:

- provide an apology to the complainant
- provide a job reference for the complainant
- commit to not repeating the behaviour or ensuring the behaviour will not be repeated in the workplace
- re-instate the complainant to his or her former job
- make financial compensation to the complainant for lost income
- make financial compensation for pain and suffering, humiliation and embarrassment, or injury to dignity

The recommended remedy may also call on the employer to:

- have an education session on human rights
- introduce a non-discrimination policy into the workplace
- stop a behaviour or practice found to be discriminatory
- set up internal processes to deal with any future complaints that may arise

The nature of the discrimination influences the recommended remedy. Each complaint is assessed individually.

Complainants have a responsibility to minimize (mitigate) the losses they experienced through discrimination. For example, complainants have a responsibility to look for work and accept work if they lost a job as a result of discrimination.

Dismissing or discontinuing a complaint

The director dismisses a complaint if it has no merit.

The director may discontinue a complaint if the director is of the opinion that the person making the complaint has refused to accept a proposed settlement offered by the respondent that is fair and reasonable.

In both cases, where the director dismisses or discontinues a complaint, the complainant can provide reasons and request that the Chief Commissioner review the director's decision. This request must be made within 30 days of receiving the director's decision.

Withdrawn or abandoned complaints

Complainants may withdraw their complaints at anytime. This usually occurs when they believe there is no merit, or when they settle the dispute in another forum such as a grievance procedure or civil court action and withdrawal of the human rights complaint is part of the settlement agreement. When a complainant fails to maintain contact with the commission, for whatever reason, their file is considered "abandoned."

Appendix 3

Overview of the complaint adjudication process

Referral to the Chief Commissioner when parties are unable to settle a complaint

When parties are unable to settle a complaint that the director believes has merit, the director reports this to the Chief Commissioner. The Chief Commissioner then appoints a human rights panel to adjudicate the case.

Appeals to the Chief Commissioner

If the director dismisses or discontinues a complaint, the complainant may appeal the decision by writing to the Chief Commissioner within 30 days of receiving the director's decision. The Chief Commissioner conducts a documentary review of the file, investigation report, and information from the parties. If the Chief Commissioner decides that the complaint should not have been dismissed or that the proposed settlement was not fair and reasonable, he appoints a human rights panel to decide the matter. If he decides that the complaint should have been dismissed or that the proposed settlement was fair and reasonable, he denies the appeal.

The Chief Commissioner's decision on the appeal is final and binding on the parties, although it is subject to judicial review by the Court of Queen's Bench. A judicial review is a review of the process used in making the decision and must be requested within six months of receiving the Chief Commissioner's decision.

Human rights panels

Human rights panels are quasi-judicial, administrative tribunals that are appointed by the Chief Commissioner panels deal with complaints where the Chief Commissioner receives a report from the director that the parties are unable to settle a complaint where merit has been found, or where the Chief Commissioner decides that a complaint should not have been dismissed or discontinued by the director.

The Chief Commissioner appoints one or three commissioners to sit as the panel. The panel receives submissions from the parties and hears evidence about the situation that resulted in a complaint being filed. After hearing the evidence, the panel makes a decision about whether or not the complaint has merit. If the panel decides that the complaint has merit, the panel orders a remedy. If the panel finds that the complaint is without merit, then it will dismiss the complaint.

Where the panel finds that the complaint has merit, it will order a remedy that may result in one or more of the following outcomes:

- stopping the discrimination that the complaint is about
- stopping the respondent from contravening the *Act* in the same or any similar manner in the future
- providing the complainant with the rights, opportunities or privileges that were denied because of the discrimination
- compensating the complainant for any lost wages, income or expenses because of the discrimination
- any other action that the panel decides would place the person discriminated against in the position they would have been if the discrimination had not occurred. This might include, for example, ordering the respondent to pay the complainant damages or ordering the respondent to implement new policies.

The panel can also make an order concerning the responsibility for paying the costs involved in bringing the matter before the panel.

All parties receive the panel's decision. Once a decision is filed with the Court of Queen's bench, it has the same force and effect as a court decision. Either the complainant or respondent can appeal the panel's decision to the Court of Queen's Bench within 30 days of receiving the decision.

Appendix 4

Panel Decision Summaries 2003 – 04

Summaries and full panel decisions can be found on the commission's website www.albertahumanrights.ab.ca

(1) Patricia Repas-Barrett v. Canadian Special Service Ltd. — Grounds — Gender (Pregnancy), Area — Employment Practices

The complainant was hired by the respondent as an administrative assistant with no employment contract, nor terms or conditions of employment. While she was on medical stress leave, the respondent advertised for a replacement to the complainant and subsequently terminated her employment. No job or performance evaluation was presented in evidence at the hearing. She alleged that working conditions with the respondent were very good initially, but deteriorated when the respondent's operations manager was hired. The complainant stated that he was antagonistic towards her because he made comments that were belittling and embarrassing. This created a hostile work environment, which became worse after the complainant informed the operations manager that she was pregnant. Subsequently, the complainant received a letter of reprimand which alleged poor work performance. She had been unaware of any concerns regarding her performance prior to receipt of the letter. The panel found merit to the complaint. The complainant had established a prima facie case that discrimination had occurred. There were no performance-based issues behind the complainant's termination. The respondent did not attend the hearing even though he had been served with the required documentation. The complainant was awarded $1,500 in general damages for gender discrimination, $2,500 in general damages for discrimination based on her pregnancy, and $2,250 in lost wages.

(2) Cindy Whitnack v. Alberta Bingo Services — Grounds — Mental Disability, Area — Employment Practices

The panel was asked to determine two preliminary issues: (1) whether the human rights panel had jurisdiction to hear the complaint; and (2) whether the release signed earlier by the complainant applied to the current proceedings. The complainant had signed a release and consequently received a cash payment from the respondent after a Labour Relations Board decision ordered her reinstatement. The respondent argued that the release applied to the current complaint and also that by not mentioning the release in the investigator's report nor at any time prior to the hearing, the commission demonstrated bad faith, and the appointment of the panel was improper. The panel determined that the complainant did not sign the release as part of

a severance package. Therefore, the panel had jurisdiction to hear this complaint. The panel further found that complaints brought subsequent to the execution of the release were also subject to the release because those complaints were identical to earlier complaints. The panel dismissed this complaint.

(3) **Quintin Johnson v. Music World Ltd., HMV Canada, and A.V.E. Entertainment — Grounds — Gender, Race Colour, Religious Beliefs, Area — Notices, Publications and Services**

The complainant alleged discrimination on the basis of gender, race, colour and religious beliefs by the respondent music stores and music distributor arising from the display and sale of the following music recordings on compact disc: (1) by Deicide — "Upon the Cross," specifically the song "Kill the Christian" and (2) by Type O Negative, specifically the song "Kill all the White People." The complainant sought the following remedies: (1) an order revising the policies of the respondents regarding the distribution and sale of discriminatory material and (2) removal of the display of discriminatory material. The respondents argued that they did not create nor produce the alleged offensive material, that the discs had attached warning labels, and that purchasers had the choice not to buy the disc. The panel with a dissenting opinion by one panel member dismissed the complaints. In order for the complainant to show a breach of the *Act* has occurred, he must show that the materials are consistent with discrimination or an intention to discriminate against a class of persons. The test is not whether the listener has been persuaded, but rather whether the target group is more likely to be exposed to hatred or contempt as a result of the representation. The panel held that the message, which includes its content, tone and surrounding circumstances, is highly unlikely to affect the target group. There has been no breach of Section 2 of the *Act* by the respondents in question. Therefore, the panel did not consider the issue of the test of freedom of opinion on this subject.

(4) **Laurent Marcil v. Vantage Contracting Ltd. — Ground — Age, Physical Disability, Area — Employment Practices**

A 70-year-old male complainant was terminated from employment as a carpenter/locksmith with the respondent company. The complainant suffered a back injury while at work which required hospitalization and subsequent rehabilitation. After initially being assessed fit to return to lighter duties, the complainant unsuccessfully attempted to return to work one month after the accident. Three months later, the complainant attempted to return to regular duties and was informed by the respondent that his position had been filled and that there was no available work. The panel found merit to the complaint and awarded $1,500 for injury to dignity and self-respect and $28,000 less deductions, for loss of income. Evidence indicated that age

and perceived physical disability were factors in the complainant's dismissal — the complainant's contract was cancelled 2 weeks after the complainant's injury, and a younger and cheaper employee had been hired to replace the complainant. The panel decision was appealed to the Court of Queen's Bench. The Court of Queen's Bench upheld the panel decision.

(5) **Michael Cross v. International Paper Canada Ltd. — Grounds — Physical Disability, Area — Employment Practices**

The complainant was employed with the respondent for 13 years as a printing press operator when he injured his left hand, which resulted in the tip of his finger being amputated. The respondent employer accommodated the complainant's injury by modifying the complainant's duties for one year with full pay. However, the complainant refused some of these duties because of resultant pain/discomfort to his hand. Three months later, the complainant's employment was terminated and six months later the respondent's factory/plant was closed. The panel dismissed the complaint. While evidence indicated that the complainant had a physical disability within the *Act*, some of the modified duties, which the complainant refused to undertake, could have been accomplished using his uninjured hand. The respondent employer was found to have accommodated the complainant to the point of undue hardship.

(6) **Donna Martyn v. Yellow Cab, Barrel Taxi Ltd., A-1 Taxi Cab Ltd., Eastgate Taxi Service Ltd., Skyline Cabs Ltd., Checker Cabs Alta. Ltd., Klondike Taxi (Alberta) Ltd., Prestige Cabs Ltd., Red Leaf Taxi Ltd., Alberta Co-Op Taxi Line, Alberta Transportation, City of Edmonton, Edmonton Taxi Commission**

On a preliminary motion by the respondent individual taxi companies, the panel was asked to determine whether *res judicata* applied to the complaint because the complainant had made similar complaints in earlier proceedings against the individual respondents. The respondents argued that because these complaints had either been settled or adjudicated upon, the complainant could not re-litigate on the same issues. They sought to have the complaint against them individually dismissed. The panel dismissed the complaints against the individual respondent taxi companies. Separately from the *res judicata* issue, the panel considered those complaints that had been settled earlier. The complainant had earlier agreed to release the individual taxi companies from all future claims arising from the current fact situation. The panel gave effect to that agreement. *Res judicata* or issue *estoppel* in this case, is a doctrine of public policy designed to prevent abuse of the decision making process.

(7) Lori Pringle v. Alberta Municipal Affairs — Ground — Family Status, Area — Goods, Services, Accommodation, Facilities

The complainant, who was legally adopted, sought her original Certificate of Birth from the respondent government department. Her request was refused on the basis that adoption records were sealed and would not be opened in the absence of a court order. The respondent argued that the policy balanced the privacy interests between the parties in the "adoption triangle": the child, birth parents and adoptive parents. The panel dismissed the complaint. The adoption process is a pressing and substantial objective and its purpose has been well thought out. The panel concluded that two factors are important in reaching this conclusion: (1) subjective as well as an objective analysis is to be applied to determine whether there has been discrimination from the effect of demeaning the dignity of the complainant; and (2) the rights of the other parties in an adoption triangle must be considered. In analyzing the rights of all the parties, the confidentiality, privacy and anonymity provisions must be considered equally. The Alberta legislative scheme does not discriminate against adopted persons because of the denial of original birth records. This decision was appealed to the Court of Queen's Bench.

(8) Donna Gladu v. Suncor Energy Inc. — Ground — Physical Disability, Area — Employment Practices

The complainant was a coker operator with the respondent employer. During her probationary period, she was injured and subsequently dismissed from employment without severance pay. The complainant alleged discrimination on the basis of physical disability. The respondent argued the complainant was dismissed because of poor job performance. There was evidence that the respondent made attempts to accommodate the complainant after her injury. There was also evidence of job performance concerns regarding the complainant expressed by co-workers and supervisors, particularly her poor attitude and on-the-job behaviour. The panel dismissed the complaint. The complainant was required to establish prima facie discrimination on a balance of probabilities. While the panel expressed some concerns over the respondent's lack of policy or direction regarding guiding probationary employees in attitude, behaviour and performance issues, and considered that the complainant's termination may have been unfair, the basis of the complainant's termination was not because of her injury or her physical disability. This decision was appealed to the Court of Queen's Bench.

(9) Ruby Anne Repas v. Albert's Family Restaurant & Lounge — Grounds — Physical Disability, Area — Employment Practices

The complainant was a kitchen manager who was dismissed after she told the respondent employer that she suffered from Hepatitis C. The respondent stated that she was not dismissed, but rather that she voluntarily quit her employment. The panel found merit to the complaint. Hepatitis C constituted a disability under the Act. The evidence and testimony of the complainant was accepted over that of the respondent. Evidence showed that when the complainant informed the respondent that she contracted Hepatitis C as a result of a blood transfusion, he asked to her submit to a medical examination to confirm her condition. Upon her return to employment with a medical certificate confirming Hepatitis C, the respondent terminated her employment. The complainant was awarded $3,000 in damages for pain and suffering, $1,915.30 for lost wages, plus interest. This decision was appealed to the Court of Queen's Bench.

(10) Rolando Cabalde v. City of Calgary — Grounds — Race, Colour, Ancestry, Place of Origin, Area — Employment Practices

The respondent hired the complainant, who is from the Philippines, as an electrician in 1979. He was subsequently promoted to the position of working foreman and later to crew foreman. Prior to these promotions, the complainant had an exemplary employment record. After the promotion, the complainant encountered difficulties at his employment which lead to reprimands, a voluntary demotion to working foreman, suspension and ultimately his dismissal from employment with the respondent. The complainant argued that he faced racial slurs and innuendo at the workplace and that his termination was due to racial profiling, hate mongering and a conspiracy at the workplace. The panel dismissed the complaint. The complainant failed to establish on a balance of probabilities that he was terminated from employment on the basis of race, colour, ancestry or place of origin. Evidence showed that the workplace antagonism the complainant faced was due to his management style, and insubordination rather than discrimination. While the actions of the respondent employer in this matter were unfair in placing the complainant in the position he was in with little or no management abilities, there was nothing racially discriminatory in the actions of the City of Calgary.

Preliminary Matters Panel Hearings on the Validity and Enforceability of the Severance Agreement

In the 2003 – 04 fiscal year three preliminary matters hearings were held to determine the validity and enforceability of the severance agreement. The panel found one agreement to be valid and enforceable and one agreement not to be valid. The latter was returned to the complaint process. In one other case, the complainant did not appear at the panel hearing and the panel chair closed the file.

Appendix 5

Court Decision Summaries 2003 – 04

Court of Appeal

Appeals of Panel Decisions

United Food and Commercial Workers, Local 401 v. Alberta Human Rights and Citizenship Commission, Canada Safeway Limited, Connie Starzynski, Alice Mae Baker, Jim Sczembora, Lynn McKay, Loretta Zutz, Dennis Epp, Fay Elizabeth Clarke, Frances A. Bitz, Linda Mewhort, Dawn Dixon, Janet Shaigec, Annette Galavan, Marisha Matkowski, Felicia Graziano, and Selma Dromerski (August 13, 2003)

On May 14, 1999 a human rights panel ruled that a buy-out program reached by agreement between United Food and Commercial Workers, Local 410 and Safeway failed to accommodate certain disabled employees. The employees had not been able to participate in the buy-out program as they were on sick leave. The panel decision was appealed to Queen's Bench and the court found the buyout program was discriminatory and the union and Safeway were equally liable.

The employer and the union appealed to the Court of Appeal. The appeal was dismissed. The court said the agreement, which rendered the complainants ineligible for the buy-out, was not reasonable and justifiable.

Alberta Mental Health Board v. Caroline Martin (June 9, 2003)

The complainant sought to extend the 30-day time limit to file a notice of appeal to the Chief Commissioner, after the commission dismissed her complaint. She argued economic and personal stress as the reason for her delay. The commission sent a notice of discontinuance to the complainant by registered mail on January 19th. The complainant delivered her notice of appeal to the commission on February 28th. After a human rights panel held it had jurisdiction to hear the notice of appeal, the respondent successfully applied for judicial review. The court held the complainant was out of time and the panel therefore lacked jurisdiction. The complainant appealed, also arguing that because of her incapacity, she should be given relief of strict compliance with the limitation period. **HELD**: Appeal dismissed. When interpreting statutes, the contextual and purposive approach applies. The purpose of the time limit was to render decisions of the commission conclusive and to give complainants a sense of finality once the limitation period expired. Time began to run seven days after the Notice of Discontinuance was mailed by registered

mail. The complainant's notice of appeal was out of time. Further, the complainant failed to show sufficient incapacity.

Rhona Allen v. The Alberta Human Rights and Citizenship Commission, The University of Calgary, and The Alberta Teachers' Association (October 10, 2003)

Seeking to add additional documents to the appeal book, the complainant appealed a Court of Queen's Bench order, which remitted the complaint back to the commission for reconsideration. **HELD**: Appeal allowed in part. The complainant was allowed to add transcripts of proceedings in the Court of Queen's Bench, the original complaint, and responses from the commission, the university, and the teachers' association. The complainant was not allowed to add documents that were not in the commission's Return or presented to the Court of Queen's Bench.

Judicial Reviews

G.S. (Gus Sleiman) v. Alberta Human Rights and Citizenship Commission and Calgary Regional Health Authority (June 9, 2003)

The complainant was a non-custodial access parent (a parent who had access to, but not custody of his child) who sought his child's medical records at a hospital. When he was denied these records because he had not obtained the consent of the custodial parent, he complained to the commission, arguing discrimination on the basis of family status. After the panel dismissed his complaint, the complainant sought judicial review. The reviewing judge held that the complainant's status as an access parent did not constitute family status. The complainant appealed. **HELD**: Appeal dismissed. The denial of his child's hospital records did not constitute discrimination on the basis of family or marital status. The respondent denied access to the records based on their belief that consent was required from the custodial parent. The complainant's remedy was to seek a court order under the Hospitals Act.

Court of Queens Bench

Appeals of Panel Decisions

The Fort McMurray Catholic Board of Education v. Alberta Human Rights and Citizenship Commission, Jennifer Woo and Gwen Jahelka (July 17, 2003)

The respondent Board of Education sought to set aside a finding of gender discrimination on the basis of pregnancy by a human rights panel. The complainant, Ms. Woo, was on a probationary contract of employment with the respondent. She was hired on an interim basis to replace the vice-principal of a school who had taken a leave of absence and then maternity leave. When Ms.Woo became pregnant, the respondent terminated her employment on the day she commenced her maternity leave. The respondent then hired Ms. Jahelka as vice-principal. When Ms. Jahelka became pregnant during her employment contract, her employment too was terminated. After giving birth, both complainants sought to be re-hired by the respondent. A male eventually filled the permanent vice-principal position through an internal competition. After both Ms. Woo and Ms. Jahelka complained to the commission, the panel found that the respondent discriminated against the complainants when it terminated their positions as interim school vice-principal because of their respective pregnancies, holding that the respondent breached its duty to accommodate the complainants' pregnancies. The panel also found discrimination arising from the respondent's failure to re-hire Ms. Jahelka as vice-principal because that refusal was based on her gender and pregnancy. However, the panel did not find discrimination occurred arising from the respondent's failure to re-hire the complainant Ms. Woo, holding the respondent properly considered her lack of requisite interpersonal skills and lack of qualifications for the position. Arising from the same related proceedings, the complainant Ms. Woo sought a further order declaring that she was discriminated against when she was not offered a position as program co-ordinator for which she applied. **HELD**: With respect to Ms. Woo, the court found the panel was correct in finding discrimination for the termination due to pregnancy. The panel erred in failing to find evidence of discrimination arising from the respondent's refusal to rehire Ms.Woo as vice-principal, but did not err in finding discrimination against Ms. Woo arising from the respondent's refusal to hire her as program coordinator. With respect to Ms. Jahelka, the court said the finding of the panel was correct that there was discrimination arising from Ms. Jahelka's termination and the school board's failure to rehire her. The matter was returned to the panel for an assessment of damages.

Vantage Contracting Inc. v. Laurent Marcil and Alberta Human Rights and Citizenship Commission (March 29, 2004)

The respondent employer appealed a panel decision holding that it discriminated against the employee complainant, a carpenter/locksmith, on the basis of age and perceived disability. The panel awarded to the complainant $1,500 in damages for injury to dignity and self-respect, and $28,000 in lost wages. The respondent argued that it was entitled to consider the advantages of hiring a younger apprentice over the 71-year-old complainant. The respondent did not re-hire the complainant following his recovery from an injury on the job, although he was capable of resuming most of his former duties. At the time of the complainant's termination from employment, the respondent stated shortage of work as the reason not to re-hire. **HELD**: Appeal denied. Because the issues of findings of discrimination and damages awards were of mixed fact and law, the standard of review was one of correctness. The panel was correct in its finding of discrimination. Perceived disability was a protected ground under the *Act*. The appellant employer failed to accommodate the complainant's disability to the point of undue hardship. Business efficacy cannot override human rights legislation. The panel's assessment for damages for injury to dignity and self-respect and for loss of income was correct. Damages for loss of employment caused by discrimination cannot be calculated simply by applying employment law standards of notice; to do so would fail utterly to advance the objectives of the legislation.

Alberta Human Rights and Citizenship Commission, Sonia Jacknife and Cassandra Collins v. Elizabeth Métis Settlement (April 22, 2003)

This was an appeal of the human rights panel decision dismissing the complaints of Sonia Jacknife and Cassandra Collins. The respondent Métis Settlement established a drug and alcohol testing policy. The complainants, who were in administrative positions, refused to take the test and as a result their employment was terminated. The panel dismissed the Collins complaint because there was no evidence of disability. The director argued that there was a perception of disability as Ms. Collins was treated as if she had a substance abuse problem and therefore was covered under the Human Rights, Citizenship and Multiculturalism *Act*. **HELD**: Appeals dismissed. The panel erred in determining that the complainant, Ms. Collins, had not shown a disability under the *Act*. However, had it properly concluded that it had jurisdiction to deal with the Collins complaint it would nonetheless have been correct in dismissing her complaint for the same reasons as it dismissed the Jacknife complaint. The panel correctly dismissed the Jacknife complaint based on a finding that the employer had established that the drug and alcohol policy was reasonably necessary for the accomplishment of a legitimate work-related purpose. While

prima facie discriminatory, the employer had, under the Meiorin test, established that the policy was a bona fide occupational requirement.

Judicial Reviews

Economic Development Edmonton v. Asare Baah and the Chief Commissioner of the Alberta Human Rights and Citizenship Commission (August 27, 2003)

Appeal by the Economic Development Edmonton of a decision of the Chief Commissioner referring the complaint to a panel hearing. The complaint arose after an alleged racial slur against the complainant by the city general manager. Subsequently, the complainant's employment was terminated for cause. He signed a release of all claims, but later claimed he did not do so voluntarily. The commission's investigator found witness credibility at issue, but recommended the complaint be dismissed. The director agreed and dismissed the complaint. The Chief Commissioner reversed the director's dismissal and referred the complaint to panel. **HELD**: Appeal dismissed. The Chief Commissioner properly exercised his discretion as gatekeeper. The investigator's report was flawed in failing to properly address the issues of witness credibility and whether the complainant signed the release agreement on a voluntary basis. Consequently, it was not a reliable basis upon which to dismiss the complaint.

North American Construction Group Inc. v. Alberta Human Rights and Citizenship Commission and Glenn Todd Davis (September 5, 2003)

The complainant, a heavy equipment operator, agreed to submit to the employer's drug and alcohol test as part of the hiring condition. The employer stated that only those with negative test results would be hired and that a positive test result would result in the complainant being precluded from employment for a 6-month period. The complainant tested positive for marijuana use and was told that he would have to wait six months before re-applying for work with the employer. The complainant argued that he was HIV-positive and used marijuana to minimize nausea associated with his medication, and that by refusing to hire him for six months, the employer perceived him as a drug addict and discriminated against him on the grounds of physical disability. The employer argued that the complainant was evasive or dishonest in his conduct before, during, and after the drug test, and as a result should be precluded from seeking a remedy for discrimination. The director of the commission found merit in the complaint, but decided, with agreement of the complainant, that no individual remedy would be sought, but rather an order would be sought to prohibit the employer from conducting drug tests in the future. Because the complainant was not seeking a personal or individual remedy, the employer applied for a prohibition order which

would prevent the appointment of a panel, or prevent the panel from inquiring into the complaint. **HELD**: Application dismissed. The panel had jurisdiction to determine whether discrimination existed.

Marilyn J. Small v. Caritas Health Group (December 1, 2003)

The complainant sought judicial review of the Chief Commissioner's dismissal of her complaint. She suffered from fibromyalgia that prevented her from fulfilling her normal employment duties. As a result, the respondent terminated her employment. The commission's investigator found that the complainant was not totally disabled, and the complainant had refused to return to work. Based on the investigator's report, the Chief Commissioner dismissed the complaint. **HELD**: Application allowed. The Chief Commissioner exceeded his gatekeeper's jurisdiction when he relied on the investigator's findings of fact. Doing so resulted in his making a finding of merit of the complaint. As gatekeeper, he should have restricted his determination to whether the issues raised by the complaint should be referred to a panel for hearing for determination.

Contact information

For more information, please contact the Alberta Human Rights and Citizenship Commission.

Chief Commissioner and Human Rights Panels
Room 800, Standard Life Centre
10405 Jasper Avenue
Edmonton, Alberta T5J 4R7
Phone: (780) 427-3116
Fax: (780) 422-3563

Northern Regional Office
800 Standard Life Centre
10405 Jasper Avenue
Edmonton, Alberta T5J 4R7
Confidential Inquiry Line: (780) 427-7661
Fax: (780) 427-6013

Southern Regional Office
Suite 310, 525 – 11 Avenue SW
Calgary, Alberta T2R 0C9
Confidential Inquiry Line: (403) 297-6571
Fax: (403) 297-6567

To call toll-free within Alberta, dial 310-0000 and then enter the area code and phone number.

For province-wide free access from a cellular phone, enter *310 (for Rogers-AT&T) or #310 (for Telus).

TTY service for persons who are deaf or hard of hearing

Edmonton: (780) 427-1597
Calgary: (403) 297-5639

Toll-free within Alberta: 1-800-232-7215

E-mail: humanrights@gov.ab.ca

Website: www.albertahumanrights.ab.ca

The Alberta Human Rights and Citizenship Commission is an independent commission of the Government of Alberta reporting through the Ministry of Community Development. Our mandate is to foster equality and reduce discrimination. We provide public information and education programs, and help Albertans resolve human rights complaints.